

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BERNARD GLENN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C12-5646 RBL

ORDER DENYING CERTIFICATE
OF APPEALABILITY

[DKT. #20]

THIS MATTER is before the Court on Petitioner Glenn's Motion for a Certificate of Appealability [Dkt. #21] of this Court's Order Denying [Dkt. #15] his 2255 Motion for Short-Tandem Repeat DNA testing, and this Court's Order [Dkt. #19] Denying his Motion for Reconsideration.

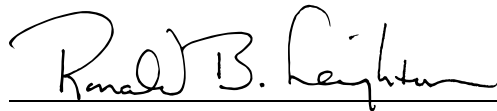
The district court should grant an application for a Certificate of Appealability only if the petitioner makes a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(3). To obtain a Certificate of Appealability under 28 U.S.C. § 2253(c), a habeas petitioner must make a showing that reasonable jurists could debate whether, or agree that, the petition should have been resolved in a different manner or that the issues presented were

1 adequate to deserve encouragement to proceed further. *Slack v. McDaniel*, 120 S.Ct. 1595,
2 1603-04 (2000) (quoting *Barefoot v. Estelle*, 463 U.S. 880, 893 n.4 (1983)).

3 For the reasons outlined in the Court's prior Orders, Petitioner Glenn has not met this
4 standard and this Court will not issue him a Certificate of Appealability. The Petitioner's Motion
5 for such a certificate is DENIED.

6 IT IS SO ORDERED.

7 Dated this 23rd day of May, 2013.

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10 RONALD B. LEIGHTON
11 UNITED STATES DISTRICT JUDGE
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